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Total Number of Pages in This Submission

6

Application Number

09/888,819

Filing Date

JUNE 25, 2001

First Named Inventor

ROBIN S. GRAY

Art Unit

2675

Examiner Name

MING-HUN LIU

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	INTERVIEW OF MARCH 23, 2005
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

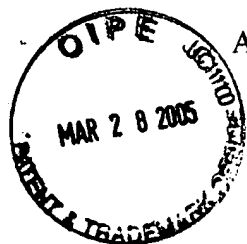
Firm Name	ROBIN S. GRAY		
Signature	Robin S. Gray		
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Date	MARCH 24, 2005	Reg. No.	48,093

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Signature	Robin S. Gray		
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Applicant's Statement of Summary of Interview

Serial Number: 09/888,819

2675
EW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robin S. Gray

Group Art Unit: 2675

Serial Number: 09/888,819

Preliminary Classification: 345

Filing Date: June 25, 2001

Examiner: Ming-Hun Liu

Title: MOUSE POINTING DEVICE
WITH INTEGRATED TOUCH BUTTONS

Date: March 24, 2005

STATEMENT OF THE SUBSTANCE OF THE PERSONAL INTERVIEW OF
MARCH 23, 2005

Honorable Commissioner for Patents
Washington, D.C. 20231

S I R:

This is Applicant's statement of the substance of the personal interview conducted on March 23, 2005.

Remarks begin on Page 2.

Summary of Personal Interview:

Applicant wishes to thank Examiners Liu and Nugyen for their time during the personal interview conducted on March 23, 2005.

It is noted that the interview focused on claims 23 and 32 with respect to an improper basis of rejection. Additionally, independent claims 1, 6, and 13 were discussed with respect to the applied references.

Regarding independent claim 1, Examiners Liu and Nugyen agreed that the applied references of Logan et al. and Scholder et al. used to reject claim 1 *do not*, in fact, teach Applicant's claimed invention and would be allowable, subject to an updated search.

Regarding independent claim 6, the Examiners suggested that incorporating dependent claim 10 into independent claim 6 would claim the invention and overcome the applied references of Logan et al. and Scholder et al. and place the combination of claims 6 and 10 in condition for allowance, subject to an updated search.

Regarding claim 13, the Examiners suggested that incorporating dependent claim 17 into independent claim 13 would claim the invention and overcome the references of Chiang and Logan et al. and place the combination of claims 13 and 17 in condition for allowance, subject to an updated search.

Applicant believes that independent claims 1, 6, and 13, as currently presented, define over the applied references. The following is a summary of the arguments that were presented by Applicant during the interview.

I. With regard to the claims 23 and 32, with respect to the improper basis of rejection, Applicant pointed out during the interview that:

Basis of rejection improper –

- a. Examiner rejected dependent claim 23 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,327,161 to Logan and U.S. Patent 5,936,555 to Zagnoev. It is noted, however, that claim 23 depends from claim 6, which was rejected by the Examiner using U.S. Patent 5,327,161 to Logan and U.S. Patent 5,805,144 to Scholder.
- b. Examiner rejected dependent claim 32 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,973,622 to Chiang in view of U.S. Patent 5,327,161 to Logan and further in view of U.S. Patent 5,473,347 to Collas et al. It is noted, however, that claim 32 depends from claim 6, which was rejected by the Examiner using U.S. Patent 5,327,161 to Logan and U.S. Patent 5,805,144 to Scholder.

II. With regard to the claims 1 and 6 and the applied references, Applicant pointed out during the interview that:

Claim Rejections –

- a. Independent Claims 1 and 6 have been rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of U.S. Patent No. 5,327,161 to Logan et al. and U.S. Patent No. 5,805,144 to Scholder et al.

- i. Examiner indicated in the rejection that “Logan does not teach integrating the mechanical button with a handheld mouse system.” The Examiner points to Scholder et al. to teach the deficiencies of Logan et al. and indicates that “Scholder teaches a handheld mouse system with touch pad ... the user does not need to reposition the mouse housing in order to reposition the screen cursor...” The Examiner then indicates that “one skilled in the art could combine the two inventions by placing Logan's touch pad/mouse button with complete physical mouse as taught by Logan on column 3, lines 8-28 and column 2, lines 14-29...” The Examiner indicates, “it would have been obvious to place Logan's touch pad/button onto the mouse disclosed by Scholder.”

However, it would not have been obvious to put the touch pad of Logan on the mouse of Scholder because:

- At (column 4, lines 20-25 and 59-61) Scholder et al. teaches away from using mechanical mouse buttons.
- The housing of Scholder et al. is not intended, designed to house, or to support mechanical mouse buttons.
- Logan must physically move the mouse device (up/down) to invoke a highlighting operation.
- The mouse device of Scholder must be moved to perform the highlighting operation. Mouse is moved across a planar surface.

III. With regard to claim 13 and the applied references, Applicant pointed out during the interview that:

Claim Rejections –

- a. Independent Claim 13 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Chiang U.S. Patent No. 5,973,622 in view of Logan et al. U.S. Patent No. 5,327,161.

- i. Examiner indicated that “Chiang's invention includes a track ball, but not a track pad. As one skilled in the art understands, the two are essentially interchangeable input methods.”

→ It is noted that an obvious statement was not provided. However, to be responsive, it is believed that the Examiner intended that the track ball of Chiang be substituted with a touch pad.

However, it is not obvious to replace the track ball of Chiang with a touch pad because:

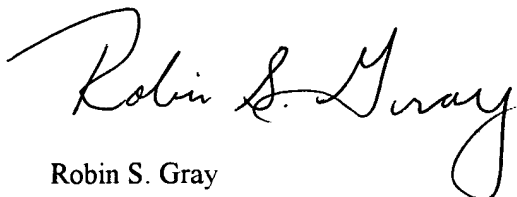
- At column 2, lines 9-14 and 60-65 Chiang teaches that an object of the invention is to generate signals as those generated for directional or control keys.
- Chiang also teaches at column 1, lines 43-51 that traditional pointing devices and the way to use the pointing devices are different from the four direction keys and the signals generated by these devices which are used to move a pointer and not a cursor.
- The actuator of Chiang and the pointing device of Logan have different functions and are not combinable because the track ball of Chiang is used for rolling and positioning a cursor, where a touch pad is used to reposition a pointer. A touch pad in Chiang would destroy the Chiang invention. Further, Chiang teaches away from using touch pads.
- Additionally, pressing the actuator of Chiang will not invoke a highlighting mode, nor is it intended to invoke a highlighting mode. When the switch 40 is being pressed by actuator 20, the four predefined directions of the actuator generate signals for four control keys – page-up, page-down, home key, and end-key. When in the up position, the actuator 20 functions the four predetermined directions of the actuator 20 are used to generate the four direction signals.

For these reasons, Applicant submits that the references of Logan et al., Scholder et al., Chiang, Zagnoev, and Collas et al., either alone or in combination, do not suggest or make obvious the claimed subject matter of Applicant's claimed invention.

Accordingly, the Examiner has not shown that the product of the combination of any of the above-cited references is structurally and functionally the same as Applicant's claimed product and the Examiner is requested to withdraw this rejection and allow the claims.

Applicant respectfully submits that the above arguments place the application for patent in condition for allowance and early notification to that effect is respectfully requested.

Respectfully submitted,



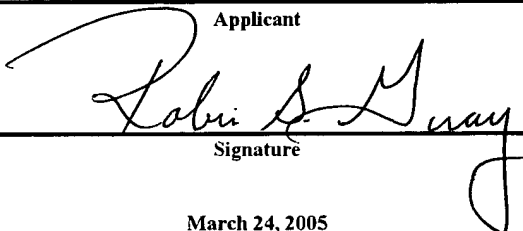
Robin S. Gray

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Robin S. Gray

Applicant



Signature

March 24, 2005

Date of Signature